

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CLERK'S MINUTES

BEFORE DISTRICT JUDGE JAMES O. BROWNING

CASE No.: 15-146 JB/SCY **DATE:** September 24, 2015

CASE CAPTION: *Fallen, et al. v. GREP Southwest, et al.*

CRD: K. Wild **COURT REPORTER:** J. Bean

COURT IN SESSION: 8:43 a.m. **COURT IN RECESS:** 9:00 a.m. = :17

TYPE OF PROCEEDING: Initial Scheduling Conference

COURT'S RULING/DISPOSITION: (see below)

ORDER CONSISTENT WITH COURT'S RULING TO BE PREPARED BY: Scheduling Order to be entered by Court

ATTORNEYS PRESENT FOR PLAINTIFF(S):

Marc Lowry/Alicia Lopez

ATTORNEYS PRESENT FOR DEFENDANT(S):

Claud Eugene Vance (for Deft. GREP Southwest & SCI Camino Real LLC) (appearing telephonically)

Charity A. Olson (for Deft. National Credit Systems) (appearing telephonically)

Christina West (for Deft. Suredeposit/Insureco Agency)

Michelle Egan (for Deft. Equifax) (appearing telephonically)

Jennifer Sun (for Deft. Experian) (appearing telephonically)

Rod Schlagel (for Deft. TransUnion) (appearing telephonically)

Amanda Loughmiller (for Deft. TransUnion) (appearing telephonically)

PROCEEDINGS

COURT IN SESSION: **8:43 a.m.**

Court: Calls case. Counsel enter appearances. Chandice Saavedra, paralegal, present with Plaintiffs' counsel.

Court: Have reviewed JSR/PDP; asks if there is anything counsel wish to tell Court about case that

might impact scheduling?

Mr. Lowry: Have been in discussions with Ms. West and there may be another party that needs to be brought into case.

Mr. Vance: Asserts there is no federal claim against his client.

Court: Would fall under supplemental jurisdiction?

Mr. Lowry: Yes.

Court: Is position Court lacks jurisdiction?

Mr. Vance: Not as to other Defendants, but as to his client – think supplemental jurisdiction may apply to his client.

Court: Can independently look at it or can file motion.

Mr. Vance: Will file motion.

Ms. West: Agree have good faith dispute as to whether another party needs to be added – may need to file motion to intervene.

Court: Provides deadlines to be contained in Scheduling Order. Explains how handles trailing docket. If prefer different magistrate judge for settlement conference let Court know. Explains how handles discovery. Suggests post- meet and confer pre-motion conferences - do not require. If file early motions call CRD for hearing ASAP. If need *Daubert* deadlines and cannot agree let CRD know for Court to resolve – prefer to have *Daubert* issues resolved before trial. Will plan to try case in ABQ with northern jury pool (as will be defined after November 15, 2015). Anything further?

Counsel inform there is not.

COURT IN RECESS: 9:00 a.m.